

UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

FILED

2008 APR 11 P 3:45

United States of America

v.

Darrien McKibben

Date of Previous Judgment: June 29, 1992
(Use Date of Last Amended Judgment if Applicable)

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Case No: 1:91-cr-115-005USM No: 12642-074Mary Ellen Coleman

Defendant's Attorney

U.S. DISTRICT COURT
EASTERN DIST. TENN.BY [Signature] CLERK

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 324 months is reduced to 262

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 40Amended Offense Level: 38Criminal History Category: IICriminal History Category: IIPrevious Guideline Range: 324 to 405 monthsAmended Guideline Range: 262 to 327 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated June 29, 1992 shall remain in effect.

IT IS SO ORDERED.

Order Date: April 11, 2008/s/ R. Allan Edgar

Judge's signature

Effective Date: _____
(if different from order date)

R. Allan Edgar, United States District Judge

Printed name and title

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